

IN THE CLAIMS:

Please cancel claim 94 without prejudice or disclaimer.

Please replace claim 87 with amended claim 87 as follows:

87. (Amended) The emulsion according to claim 75, wherein the at least one oil in the fatty phase further comprises a volatile isoparaffin.

REMARKS

I. Status Of The Claims

Claims 75-80, 82-93, and 96-108 are now pending in this application. Claim 94 been cancelled. Claim 87 has been amended to clarify that the at least one oil in the fatty phase further comprises a volatile isoparaffin and does not replace the silicone oil in the independent claim.

Accordingly, no new matter has been added by these amendments nor do these amendments raise new issues or necessitate the undertaking of any additional search of the art by the Examiner. Therefore, this Amendment under 37 C.F.R. § 1.116 should allow for immediate action. The proposed amendments, moreover, place the claims in condition for allowance or, at least, in better form for appeal, if necessary.

II. Election/Restriction

The Examiner states that claim 108 is directed to an invention that is independent or distinct from the invention originally claimed, because "claims to a method of introducing a solid water-in-oil emulsion in a cosmetic composition were not originally presented." Office Action at page 2.

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